

*REMARKS/ARGUMENTS*

*The Pending Claims*

Claims 1-21 remain pending.

*The Election of Species Restriction Requirement*

The Office Action asserts there are three distinct inventions (identified as Groups I - III) claimed in the referenced application. The Official Action asserts that the groups are not so linked so as to form a single general inventive concept under PCT Rule 13.1.

The Office Action further asserts that the referenced application contains patentably distinct species, and requires an election of a single species of membrane and support.

*Election of Group and Species with Traverse*

In order to comply with the requirements of the Patent and Trademark Office, Applicant provisionally elects, *with traverse*, Group I (claims 1-13 and 18-21) drawn to a product, and further provisionally elect, *with traverse*, the polymeric membrane species sulfone, and the polymeric support species polyolefin. Claims 1-7, 9, and 11-20 are generic to (i.e., encompass) the elected species. However, Applicant respectfully submits that the claims of all of the species should be considered together in the examination of the present application.

It is noted the Office also requests, in addition to the election of a "class" of polymer membranes (e.g., sulfone), the election of a specific polymer membrane within the class, e.g., a bisphenol A membrane. This basis for this request is not clear. In order to expedite matters, if the Office is suggesting that a class of sulfones should be elected, Applicant further elects, *with traverse*, polysulfones. If this election is deemed insufficient, Applicant respectfully requests clarification as to the Office's requirement.

While Applicant has provided an election for the aforementioned specific species, the specific species election merely is intended to aid the Examiner in the search and examination of the instant patent application. The election is by no means indicative of Applicant's willingness to ultimately limit the invention to these species. Applicant understands that, consistent with an election of species requirement, other species will be considered within the

“generic” claims encompassing the elected species upon an indication of allowable subject matter with respect to the elected species.

*Discussion of Restriction and Election of Species Requirement*

The Office indicates that the groups lack a “special technical feature” as Jao et al. allegedly discloses a microporous membrane integrally bonded to a non-porous injection molded support. There is no such disclosure in Jao et al. For example, Jao et al. merely refers to a “matrix material,” nylon, and there is no teaching of a microporous membrane. It is the use of a microporous membrane that renders embodiments of the present invention especially suitable, e.g., for analyzing biomolecules.

Since all of the pending claims are unified by the special technical feature, the application does, in fact, have unity of invention. Therefore, the restriction requirement is improper and, upon reconsideration, should be withdrawn.

With respect to the requirement for election of species, the Office has indicated some of the alleged species “can” be classified in various classes and subclasses. However, the Office has admitted that the alleged species of membranes are classified in the same class (of synthetic resins), and merely differ with respect to the cross-reference art collection subclasses. With respect to the alleged species of supports, it is not clear why, for example, polyolefins would be classified in class 585, rather than in a class of synthetic resins.

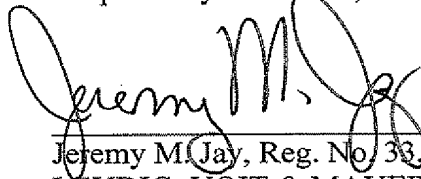
Accordingly, Applicant respectfully submits that the election of species requirement is improper and request that it be withdrawn.

*Conclusion*

Applicant respectfully requests withdrawal of the restriction requirement.

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeremy M. Jay", is written over a horizontal line.

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